

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN  
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UNITED STATES OF AMERICA,

2022 JUN 28 P 12:02

Plaintiff,

Case No. 22-CR-128

v.

[21 U.S.C. §§ 841(a)(1) & 846; 18  
U.S.C. § 2(a)]

DON A.K. JAMES, JR., and  
FREDERICK L. BREWER, a/k/a "Friday,"

Green Bay Division

Defendants.

**SUPERSEDING INDICTMENT**

**COUNT ONE**  
**(Conspiracy to distribute and  
possess with the intent to distribute fentanyl)**

**THE GRAND JURY CHARGES THAT:**

1. Beginning on or about December 27, 2021, and continuing until on or about February 9, 2022, in the State and Eastern District of Wisconsin and elsewhere,

**DON A.K. JAMES, JR., and  
FREDERICK L. BREWER, a/k/a "Friday,"**

knowingly and intentionally conspired with each other, and with persons known and unknown to the grand jury, to distribute and possess with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

2. The quantity of drugs involved in the conspiracy attributable to each defendant as a result of his own conduct, and the conduct of other conspirators

reasonably foreseeable to each of them, involved 400 grams and more of a mixture and substance containing N-phenyl-N-[1-(2-phenylethyl)-4-piperidiny] propanamide, commonly referred to as fentanyl, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 846 and 841(b)(1)(A)(vi).

**COUNT TWO**  
**(Possession of fentanyl with the intent to distribute)**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about January 9, 2022, in the State and Eastern District of Wisconsin,

**DON A.K. JAMES, JR., and  
FREDERICK L. BREWER, a/k/a "Friday,"**

knowingly and intentionally possessed with the intent to distribute 400 grams and more of a mixture and substance containing N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, commonly referred to as fentanyl, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A)(vi), and Title 18, United States Code, Section 2(a).

**COUNTS THREE THROUGH FIVE**  
**(Distribution of fentanyl)**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about the following dates, in the State and Eastern District of Wisconsin,

**FREDERICK L. BREWER, a/k/a "Friday,"**

knowingly and intentionally distributed a mixture and substance containing N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, commonly referred to as fentanyl, a Schedule II controlled substance:

Count	Date
Three	January 24, 2022
Four	January 31, 2022
Five	February 7, 2022

Each in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C), and Title 18, United States Code, Section 2(a).

**COUNT SIX**  
**(Possession of fentanyl with the intent to distribute)**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about February 21, 2022, in the State and Eastern District of Wisconsin,

**DON A.K. JAMES, JR.,**

knowingly and intentionally possessed with the intent to distribute a mixture and substance containing N-phenyl-N-[1-(2-phenylethyl)-4-piperidiny] propanamide, commonly referred to as fentanyl, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

**COUNT SEVEN**  
**(Possession of fentanyl with the intent to distribute)**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about June 14, 2022, in the State and Eastern District of Wisconsin,

**DON A.K. JAMES, JR.,**

knowingly and intentionally possessed with the intent to distribute 40 grams and more of a mixture and substance containing N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, commonly referred to as fentanyl, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B)(vi).

### NOTICE OF FORFEITURE

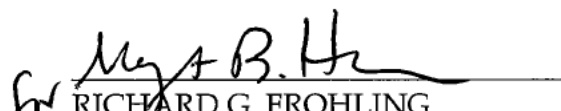
1. Upon conviction of any of the controlled substance offenses in this indictment, the defendants shall forfeit to the United States, pursuant to 21 U.S.C. § 853, any property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of the violations and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the violations, including but not limited to a sum of money representing the amount of proceeds obtained as a result of the offenses.

2. If any of the property described above, as a result of any act or omission by a defendant: cannot be located upon the exercise of due diligence; has been transferred or sold to, or deposited with, a third person; has been placed beyond the jurisdiction of the Court; has been substantially diminished in value; or has been commingled with other property which cannot be subdivided without difficulty, the United States of America shall be entitled to forfeiture of substitute property, pursuant to 21 U.S.C. § 853(p).

A TRUE BILL: 11

  
FOREPERSON

Dated: 6-28-22

  
for RICHARD G. FROHLING  
United States Attorney